

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

September 29, 2004  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor Keno Hawker, Mesa, Chair	Mayor Vinicio Alvarez, Guadalupe
Mayor Woody Thomas, Litchfield Park, Vice Chair	* Supervisor Max W. Wilson, Maricopa County
+ Mayor Douglas Coleman, Apache Junction	Mayor Ron Clarke, Paradise Valley
Mayor Ron Drake, Avondale	Mayor John Keegan, Peoria
* Mayor Dusty Hull, Buckeye	* Mayor Phil Gordon, Phoenix
Mayor Edward Morgan, Carefree	# Mayor Wendy Feldman-Kerr, Queen Creek
* Vice Mayor Ralph Mozilo, Cave Creek	* President Joni Ramos, Salt River
Vice Mayor Phillip Westbrook for Mayor Boyd Dunn, Chandler	Pima-Maricopa Indian Community
Mayor Fred Waterman, El Mirage	Mayor Mary Manross, Scottsdale
* Mayor Wally Nichols, Fountain Hills	Vice Mayor Danny Arismendez for Mayor Joan Shafer, Surprise
+ Councilmember Bud Turner for Mayor Chris Riggs, Gila Bend	Mayor Hugh Hallman, Tempe
* Governor Richard Narcia, Gila River Indian Community	* Mayor Adolfo Gamez, Tolleson
Mayor Steven Berman, Gilbert	Mayor Ron Badowski, Wickenburg
* Mayor Elaine Scruggs, Glendale	* Mayor Bryan Hackbarth, Youngtown
Mayor James M. Cavanaugh, Goodyear	+ Rusty Gant, ADOT
	* Joe Lane, ADOT
	F. Rockne Arnett, Citizens Transportation Oversight Committee

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference call.

**1. Call to Order**

The meeting of the Regional Council was called to order by Regional Council Chair Keno Hawker at 5:04 p.m.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

Chairman Hawker stated that the RPTA has provided transit tickets for those who used transit to come to the meeting. He stated that garage parking validation was available from staff.

Chairman Hawker welcomed new Regional Council members Mayor Fred Waterman from El Mirage and Mayor Ron Clarke from Paradise Valley. He presented them with their Regional Council membership certificates. Chairman Hawker announced that Rusty Gant, Mayor Douglas Coleman and Councilmember Bud Turner, as proxy for Mayor Chris Riggs, were participating via videoconference and Mayor Wendy Feldman-Kerr was participating via telephone. He acknowledged additional proxies attending the meeting: Vice Mayor Phillip Westbrook for Mayor Boyd Dunn, Chandler and Vice Mayor Danny Arismendez for Mayor Joan Shafer, Surprise.

Chairman Hawker noted that agenda items #5C, Continuum of Care Guidelines, and #10, Preparations for Conducting the 2005 Census Survey, had been removed from the agenda. He said that materials for agenda items #8, Domestic Violence Awareness, and #9, Maricopa Regional Arts and Culture Task Force, were at each place.

3. Call to the Audience

Chairman Hawker noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out public comment cards. The opportunity for public comment is provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chairman Hawker recognized former Paradise Valley mayor, Edward Lowry, who stated that he had attended the Regional Council meeting to introduce Mayor Ron Clarke, his successor as mayor in the Town of Paradise Valley. Mayor Lowry stated that he has known Mayor Clarke for many years, during which time Mayor Clarke has been devoted to the Town. He noted that Mayor Clarke was a member of the Town's Planning Commission, and as Chair, presided over many landmark actions important to the Town's future. Mayor Lowry stated that Mayor Clarke has served on the Town Council for the past few years. Mayor Clarke thanked Mayor Lowry for his introduction and the Regional Council for the welcome. He said that he was looking forward to working with the Regional Council.

4. Executive Director's Report

Dennis Smith reported that the extension of reauthorization to provide highway funding expired on September 24, 2004 and the program will expire on September 30, 2004. Mr. Smith stated it is hoped that there will be an extension to keep the program going.

Mr. Smith stated that in its letter to MAG, the Environmental Protection Agency (EPA) expressed that the motor vehicle emissions budgets in the 2004 MAG One-Hour Ozone Maintenance Plan are adequate for transportation conformity purposes.

Mr. Smith reported that on Tuesday, September 21, 2004, the EPA Regional Administrator signed the proposed rule to redesignate the Phoenix area to attainment for the carbon monoxide standard.

Mr. Smith stated that the Government Finance Officers Association notified MAG that its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2003 qualified for a Certificate of Achievement for Excellence in financial reporting. He acknowledged the Fiscal Services staff for achieving this award. Mr. Smith stated that to his knowledge, MAG is the only MPO to have received this award.

Mr. Smith stated that MAG will be holding an all-day Census Bureau Workshop on October 7, 2004 in the MAG Saguaro Room in order to brief member agencies on how the 2005 Census Survey and the full count of population in group quarters will be carried out. Mr. Smith stated that member agency staff from many departments have been invited to the event. He added that any other interested parties from member agencies are welcome. He said that Census Bureau staff will be flying in to attend the workshop. Chairman Hawker thanked Mr. Smith for his report. No questions from the Council were noted.

5. Approval of Consent Agenda

Chairman Hawker stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. Chairman Hawker stated that agenda items #5A, #5B, #5D, and #5E were on the consent agenda, with item #5C having been removed from the agenda. No requests were received from the Council to hear an item individually. Chairman Hawker noted that no public comment cards had been turned in.

Vice Chairman Thomas moved to approve consent agenda items #5A, #5B, #5D, and #5E. Mayor Keegan seconded, and the motion carried unanimously.

5A. Approval of the July 28, 2004 Meeting Minutes

The Regional Council, by consent, approved the July 28, 2004 meeting minutes.

5B. Project Approval for the MAG Pedestrian Design Assistance Program - Round II

The Regional Council, by consent, approved selecting the Gilbert Heritage District Pedestrian Improvement Project "Creating Pathways to the Downtown Transit Center" – \$80,000 project to receive the pedestrian design assistance. As part of the FY 2003 MAG Federal Funds Interim Closeout Process, the Maricopa Association of Governments (MAG) Regional Council approved, on June 25, 2003, accelerating \$80,000 in Congestion Mitigation and Air Quality (CMAQ) funding from 2007 to provide funding for the Pedestrian Design Assistance Program - Round II. The MAG Pedestrian Working Group and the MAG Management Committee recommended that the Town of Gilbert receive design assistance for the Gilbert Heritage District Pedestrian Improvement Project "Creating Pathways to the Downtown Transit Center"- \$80,000.

5C. Continuum of Care Guidelines

This item was removed from the agenda. In December 1999, the Regional Council approved MAG assuming the responsibility for the planning process and for MAG to submit a regional grant application

to the U.S. Department of Housing and Urban Development for federal Stuart B. McKinney Act funds for homeless planning for this region. The MAG Continuum of Care Regional Committee on Homelessness, composed of elected officials, technical staff and community agencies, provides direction to three subcommittees on homeless planning issues. In July 2004, the Continuum of Care recommended guidelines for the membership, committee structure, decision-making process, rules of order, and advocacy process for the Committee. At its September 13, 2004 meeting, the MAG Executive Committee recommended approval of the guidelines.

5D. 9-1-1 Budget Request to the Arizona Department of Administration for Equipment and Operating Funds

The Regional Council, by consent, approved the MAG FY 2006 PSAP Annual Element/Funding Request and FY 2006-2010 Equipment Program, and the request for 9-1-1 operating funds for submittal to the Arizona Department of Administration. Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five year equipment program that forecasts future 9-1-1 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund. The MAG PSAP Managers, the MAG 9-1-1 Oversight Team, and the MAG Management Committee recommended approval of the MAG FY 2006 PSAP Annual Element/Funding Request and FY 2006-2010 Equipment Program, and the request for 9-1-1 operating funds for submittal to the Arizona Department of Administration.

5E. 2005 Census Survey Oversight Subcommittee

The Regional Council, by consent, approved establishing a 2005 Census Survey Oversight Subcommittee using an expanded Management Subcommittee on 2005 Population Options. In December 2003, the MAG Regional Council approved conducting a 2005 Census Survey estimated to cost \$7.5 million. The census survey will be conducted beginning September 1, 2005. The Management Committee discussed preparations for the upcoming 2005 Census Survey, including the need for general oversight and coordination of the project. Three potential options for providing oversight for the 2005 Census Survey were considered by the Management Committee. The Management Committee recommended option three: the Population Technical Advisory Committee in coordination with stakeholder groups, an expanded Population Options Subcommittee that will be the primary body providing oversight for this effort, and that subcommittee reporting to the Management Committee. Each participating member agency will be requested to assign a staff member to this subcommittee. The role of the new subcommittee will be to: Develop and implement strategies to obtain a successful survey of population in households and a full count of group quarters and outdoor locations in the MAG region; collaborate on survey preparations to achieve economies of scale; coordinate municipal participation in the media campaign to increase public awareness and enhance prospects of a good response; set direction for the various municipal departments such as planning, public information, and human services; provide regular updates to MAG Management Committee and Regional Council. Members will provide policy-level advice during the development and implementation of the strategies. The Population Technical Advisory Committee will provide technical input for the census effort. Additionally, smaller stakeholder groups will be formed to focus marketing and outreach activities to their specific audience. In addition, MAG is hosting a Census Bureau workshop October 7, 2004 in the MAG Saguaro Room to brief member agencies on how the 2005 Census Survey and full count of

population in group quarters will be carried out. The workshop will provide member agencies an opportunity to ask questions of Census Bureau officials, provide input and understand the role of cities/towns in the process.

6. Update on Maricopa County Fugitive Dust Control Rules

Al Brown, Director of Maricopa County Environmental Services, updated the Council on efforts to reduce particulate matter in the MAG region. Mr. Brown displayed a chart of the various contributors to high wind exceedances. He reported that high wind days are the greatest challenge to controlling particulate pollution, and wind-blown dust from unpaved lots, agriculture, etc. is the greatest contributor on those days.

Vice Chairman Thomas, referring to the chart, asked if tillage was shown as a zero percent contributor on high wind days because tillage is restricted on high wind days. Mr. Brown replied that if farmers use best management practices, they would not till on high wind days. He noted that tillage accounts for a small percentage of the contributions on low wind days, and in general, is not known to be a major contributor.

Chairman Hawker asked the definition of a high wind day. Mr. Brown replied that wind greater than 15 mph triggers a natural events situation. He added that 15.7 mph for three consecutive hours is the threshold for flagging data for further analysis.

Mr. Brown explained that of the contributors to airborne dust on low to moderate wind days, dust on roads and constant traffic keeping it entrained is the largest fraction. Mr. Brown referred to the bar chart for PM-10 data from Maricopa County sites that were collected on August 13, 2004. He noted that the Higley, 43rd Avenue, and Durango monitors went over the 24-hour standard on this date. Mr. Brown added that on September 18, the Buckeye monitor went over the standard. He said that August 13 was a windy day with two monsoon storms converging over the area. Mr. Brown stated that, presently, these sites are monitored every six days, and the County needs to continuously monitor the three sites to nullify the exceedances. He indicated that, in addition, more sophisticated monitors will be used. He stated that the new monitors are expensive but he is working with the Board of Supervisors and DEQ to procure and deploy them on time. Mr. Brown stated that we need to show compliance through 2006 and cannot have any more exceedances at these sites. He indicated that the new monitors must be deployed by October 1. Mr. Brown noted that the County has produced educational materials to help decrease dust pollution and they are available for distribution.

Mayor Cavanaugh asked how the sources of PM-10 are measured to one-tenth of one percent. Mr. Brown replied that measurements are done through computer modeling analysis, field observations, monitoring, and studying the material collected by filters. He said that the numbers presented tonight were the result of a year-long study. Mr. Brown stated that the areas where the monitors exceeded the standard are surrounded by agricultural land, the Salt River alluvial flood plain, and vacant land, where dust control is very difficult.

Chairman Hawker asked how much dust is 550 micrograms per cubic meter. Mr. Brown replied that a microgram is a volumetric way of measuring the dust in the air. He added that 550 micrograms in the air would be similar to a dust storm or wildfire where visibility is reduced to one-quarter of a mile.

Chairman Hawker asked if this meant it was more a visual measurement than a weight measurement. Mr. Brown said that the dust measurement is calculated by use of a filter. The air is drawn through the filter for 24 hours and taken to the lab where it is dried and weighed.

Mayor Keegan asked the concentration at which can dust be seen. Mr. Brown said that dust could definitely be seen at the 150 micrograms per cubic meter level, a visibility of less than ten miles. Mr. Brown commented that the Brown Cloud is mostly PM-2.5 that results from tailpipe and diesel exhaust. He stated that the region is in compliance for that standard, but it does cause most of the visibility impairment.

Mr. Brown concluded his presentation by explaining Maricopa County Department of Transportation PM-10 plan, which has resulted in the paving of more than 20 miles of dirt roads and a reduction in more than 1,000 tons of particulates. He thanked the cities and towns for helping the County with the control efforts.

#### 7. Update on Maricopa County West Nile Efforts

Mr. Brown then continued by giving a presentation on efforts to control the West Nile Virus in the County. He introduced Dr. Jonathan Weisbuch, Maricopa County Chief Health Officer, who was available to answer questions. Mr. Brown noted that integrated mosquito management was used before proceeding with chemical controls. He said that seven people have died statewide from the virus, with six of those in Maricopa County. Mr. Brown stated that mosquito trapping efforts continue. He said there are still a lot of mosquitos in the area but the infection rate is down to one per 1,000 from 40 per 1,000. Mr. Brown noted that the numbers of mosquito and green pool complaints are decreasing. He added that the County response time to complaints is the next day. Mr. Brown described the County's efforts that include fogging equipment, mosquito traps, and additional staff. He stated that before fogging is done, certain criteria must be met, including positive testing on mosquitos, birds, horses and humans, complaints from residents, or observations by inspectors. Mr. Brown stated that outreach through the media, brochures and posters, and presentations made the public aware of the epidemic. He said that the reductions in the mosquito population show that fogging has been effective.

Mr. Brown explained how the virus outbreaks work in cycles with the second year being worse than the first year. He noted that opinions differ as to whether 2004 is the first or second year of the current cycle. Mr. Brown then provided plans for the 2005 season, including formation of an ad hoc advisory group, a green pool strategy, storm drain cleanup, enhanced surveillance and public education.

Vice Chairman Thomas asked about the natural controls used. Mr. Brown stated that there are natural controls, including mosquito-eating fish that the County gives away for free; the larvicide BTI that is a natural bacteria control that affects only mosquitos and not humans; dragonflies and bats that provide supplemental aid, and mineral oil to cover water surfaces. Mr. Brown advised that adult mosquito control is used only as a last resort.

Mayor Cavanaugh asked about the residual damage to the health of virus survivors. Dr. Weisbuch replied that epidemiologists are following all cases, and are concerned about residual effects. He indicated that 180 cases are neurologically involved and have the highest rate of residual effects. Dr.

Weisbuch stated that more complete information is expected in November or December, at which time it would be transmitted to interested parties.

Mr. Brown requested that at this time, when cities and towns are beginning their budget cycles, that they ask their street and environmental staff what they will need for the upcoming year to be prepared for West Nile Virus. Chairman Hawker thanked Mr. Brown and Dr. Weisbuch for their report.

8. Domestic Violence Awareness

Vice Mayor Phillip Westbrooks, Chair of the MAG Domestic Violence Council, addressed the Regional Council on activities planned for October as Domestic Violence Awareness Month. He said that the theme this year is “There is not a minute to lose,” because every 36 minutes a child witnesses an incident of domestic violence, every 19 minutes an arrest is made as a result of domestic violence, every five minutes the police respond to a domestic violence call, and every five seconds, a woman in the United States is assaulted by a partner.

Vice Mayor Westbrooks stated that domestic violence impacts our nation, our families and cities economically. He stated that nationally, domestic violence costs are approximately \$5.8 billion annually for medical and mental health care services and lost productivity at work. Vice Mayor Westbrooks invited the Regional Council to attend the press conference scheduled for 10:00 a.m. on September 30, 2004 at the Phoenix Police Department. In addition, activities are scheduled throughout the month, including daily news stories in The Arizona Republic, an October 12th training forum for hospitality and retail employers, weekly presentations for the public at hospitals, an education panel at ASU West, and a proclamation signing by Governor Napolitano on Domestic Violence Awareness Day. Vice Mayor Westbrooks stated that information on domestic violence and the monthly events is continually being updated on the MAG Web site. The electronic invitation to the press conference was played on-screen. Chairman Hawker thanked Vice Mayor Westbrooks for his report.

9. Maricopa Regional Arts and Culture Task Force

Jack Pfister, Trustee of the Flinn Foundation and member of the Maricopa Regional Arts and Culture Task Force, addressed the Council on the Task Force. He said that the 30-member Task Force is sponsored by the Flinn Foundation, the Virginia G. Piper Charitable Trust, the J. W. Kieckhefer Foundation, and the Margaret T. Morris Foundation. Mr. Pfister stated that a vibrant arts and culture sector is vital to the region’s economic future. He said that a study done by Battelle Technology compared the MAG Region to nine comparable regions and found that the MAG Region was last in revenue for the arts.

Mr. Pfister stated that the Task Force recommended that a regional, nonprofit arts and culture partnership be created. Strategies include integrating arts and culture into economic development, enhancing participation in arts and culture activities, building regional distinction for arts and culture, integrating arts and culture into education at all levels, and identifying and securing dedicated funding sources. Mr. Pfister provided the Executive Summary of the Maricopa Regional Arts and Culture Task Force to the Council. Chairman Hawker thanked Mr. Pfister for his report.

Mayor Feldman-Kerr stated that working on the Task Force was fascinating. She said that through its work, the Task Force found a connection between the economy and the arts. Mayor Feldman-Kerr encouraged Regional Council members to include presentations on the Maricopa Regional Arts and Culture Task Force at their council meetings.

Mayor Clarke stated that work from the Maricopa Regional Arts and Culture Task Force could perhaps interface with the work being done by the Scottsdale Visitors and Convention Bureau. Mr. Pfister stated that one of the Task Force's objectives is to work collaboratively with all groups. He indicated that he would follow up on sharing information.

Vice Chairman Thomas suggested that former Senator Ed Cirillo, who previously sponsored legislation for establishing arts districts, might be of assistance with the Legislature.

10. Preparations for Conducting the 2005 Census Survey

This item was removed from the agenda.

11. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mayor Drake introduced the new Avondale Intergovernmental Affairs Manager, Stephanie Leusner.

Vice Chairman Thomas said that he, Mayor Hallman and Mayor Drake attended the September 11, 2004 Healing Field ceremony. He said that attending the ceremony was inspiring.

Mr. Smith said that notices had been sent out cancelling the October 6, 2004 Management Committee meeting and there is a possibility that the October 27, 2004 Regional Council meeting could be cancelled. Mr. Smith said that notices would be sent out in the event the meeting is cancelled.

There being no further business, the meeting adjourned at 6:05 p.m.

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Chair

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Secretary